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W.P.No.9163 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.9163 of 2024

G. Ramasamy

...Petitioner

Vs

1. The Secretary to Government
Housing and Urban Development Department
Secretariat, Fort St. George, Chennai -9

2. The Director
Town and Country Planning
C.M.D.A. Complex, E & C Market Road,
Koyambedu, Chennai – 107.

3. The Joint Director
District Town Planning Office
Corporation Commercial Complex,
Dr.Nanjappa Road, Coimbatore

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to dispose my appeal dated 13.05.2022 on merits and in accordance with law and pass orders.

For Petitioner : Mr. K. Karthikeyan

For Respondents : Mr.M. Shahjahan
Special Government Pleader

ORDER



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The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to consider and dispose of the petitioner's appeal dated 13.05.2022.

2. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that he is the owner of the subject property vide sale deed dated 22.02.1996 registered at the office of the Sub Registrar, Mettupalayam as Document No. 665 of 1996 and he has applied for planning permission to the third respondent, who has rejected the petitioner's request vide order dated 18.03.2022 in Na.Ka.No.8056/2021 on the ground that the land is situated in unapproved layout of house sites. Aggrieved over the same, the petitioner has filed an appeal before the first respondent on 13.05.2022 and the same is pending till date. Hence this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the third respondent to consider petitioner's appeal dated 13.05.2022 and pass orders.

5. The learned Special Government Pleader appearing for the



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Respondents submitted that they will consider petitioner's appeal and take action in the manner known to law.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without going into the merits of the case, directs the third respondent to consider the petitioner's application dated 13.05.2022 and pass orders on merits and in accordance with law within a period of five months from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

04.04.2024

Index: Yes/No
Speaking order/Non-speaking order
smn

To

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V.BHAVANI SUBBAROYAN,J.



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